

**Notice of an Electronically Conducted
Regular Meeting of the Charter Township of Union
Zoning Board of Appeals**

Notice is hereby given that the Charter Township of Union Zoning Board of Appeals will conduct a regular meeting electronically on Wednesday, March 3, 2021 at 7:00 p.m., consistent with the emergency declarations and direction from state and county health officials to slow the spread of the COVID-19 virus and the Open Meetings Act (Public Act 267 of 1976, as amended).

There will be no in-person public attendance in the Township Hall Board Room (2010 S. Lincoln Rd., Mt. Pleasant, MI 48858), although some Board members and Township staff may choose to participate from this location.

All interested persons may attend and participate. The public may participate in the meeting by computer and smart phone using the following link to the electronic meeting location: <https://us02web.zoom.us/j/89299549537?pwd=L3JyMUV6YkpFeXY1TVdmMDIkWDIxUT09> (Meeting ID: “892 9954 9537” Passcode: 673358) The moderator will open public access to the electronic meeting space at 6:55 p.m.

To participate via telephone conference call, please call (312) 626-6799. Enter “892 9954 9537” and the “#” sign at the “Meeting ID” prompt. Lastly, re-enter the “#” sign again at the “Participant ID” prompt to join the meeting.

The meeting agenda, packet of materials relating to the meeting, and instructions for connecting to the meeting electronically are available on the Township’s website under “Minutes and Board Packets” at <http://www.uniontownshipmi.com/>.

Questions and comments will be received during the public comment sections of the meeting. For participants accessing via computer or smartphone to indicate a desire to address the Planning Commission, please use the “Raise Your Hand” button at the bottom center of the screen. To raise your hand for telephone dial-in participants, press “star” and then the number “nine” (*9). The Chair will call on you by the last three digits of your phone number to invite any comment, at which time you will be unmuted by the meeting moderator.

If there are a large number of participants, the Chair may choose to call on individuals by name or telephone number. Please speak clearly and provide your name and address before making your comments. Please note that the meeting moderator will control the muting and unmuting of participants during public comment.

Written comments to the Zoning Board of Appeals may also be delivered to the drop box at the Township Hall. Comments received prior to 3:00 p.m. on the day of the meeting will be read aloud to the Zoning Board of Appeals.

Persons with disabilities needing assistance to participate should call the Township office at (989) 772-4600. Persons requiring speech or hearing assistance may contact the Township through the Michigan Relay Center at 711. A minimum of one (1) business day of advance notice will be necessary for accommodation.

**Instructions to Participate in an Electronically Conducted
Regular Meeting of the Charter Township of Union
Zoning Board of Appeals**

The Charter Township of Union Zoning Board of Appeals will conduct a special meeting electronically on Wednesday, March 3, 2021 at 7:00 p.m., consistent with the emergency declarations and direction from state and county health officials to slow the spread of the COVID-19 virus and the Open Meetings Act (Public Act 267 of 1976, as amended).

All interested persons may attend and participate. The public may participate in the meeting by computer and smart phone using the following link to the electronic meeting location:

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(Meeting ID: “892 9954 9537” Passcode: 673358).

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Raise Your Hand for Citizen Participation During the Public Comment Periods

Questions and comments will be received during the public comment sections of the meeting. For participants accessing via computer or smartphone to indicate a desire to address the Planning Commission, please **click on the “Raise Your Hand” icon** near the bottom of your screen.



Click “Lower Hand” to lower it if needed. The host will be notified that you have raised your hand. The Mute/Unmute function will be controlled by the meeting moderator.

To raise your hand for telephone dial-in participants, press “star” and then the number “nine” (*9).

The Chair will call on you by the last three digits of your phone number to invite any comment, at which time you will be unmuted by the meeting moderator.

Do I need to download the Zoom app to access the meeting? No. Use of the Zoom app is recommended, but you will have options to “download & run Zoom” or “join from your browser” when you click on the link to join the meeting.

Can I Use Bluetooth Headset? Yes, if the Bluetooth device is compatible with the computer or mobile device that you are using.

Do I have to have a webcam to join on Zoom? While you are not required to have a webcam to join a Zoom Meeting, you will not be able to transmit video of yourself. You will continue to be able to listen and speak during public comment and view the webcam video of other participants.

Leaving the Meeting: Click the “Leave Meeting” link at the bottom right corner of the screen at any time to leave the meeting.



ZONING BOARD OF APPEALS

Regular Electronic Meeting. Instructions for access will be posted and available on website (uniontownshipmi.com) home page

March 3, 2021

7:00p.m.

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES
 - November 4, 2020 Regular ZBA Meeting
5. CORRESPONDENCE / BOARD REPORTS
 - Boards and Commissions Expiration Dates
6. APPROVAL OF AGENDA
7. PUBLIC COMMENT: Restricted to (3) minutes regarding issues not on this agenda
8. NEW BUSINESS
 - A. **Election of Officers (Chair, Vice-Chair, Secretary, and Vice-Secretary)**
 - B. **PVAR 20-02 SOS Holding Company LLC** - application for a variance of nine (9) feet from the minimum ten (10) foot setback from roads right-of-way required by Section 11.11.C. of the Zoning Ordinance for a freestanding sign in a business district at 5316 E. Pickard Road.
 1. Introduction by Staff
 2. Public Hearing
 3. Updates from staff and the applicant
 4. Board of Appeals deliberation and action (approval, denial, approval with conditions, or postpone action)
9. OTHER BUISINESS
10. EXTENDED PUBLIC COMMENT: Restricted to 5 minutes regarding any issue
11. FINAL BOARD COMMENT
12. DIRECTOR COMMENTS
12. ADJOURNMENT

Board Expiration Dates

| Planning Commission Board Members (9 Members) 3 year term | | | |
|---|-------------|-------------|-----------------|
| # | F Name | L Name | Expiration Date |
| 1-BOT Representative | Lisa | Cody | 11/20/2024 |
| 2-Chair | Phil | Squatrito | 2/15/2023 |
| 3-Vice Chair | Ryan | Buckley | 2/15/2022 |
| 4-Secretary | Alex | Fuller | 2/15/2023 |
| 5-Vice Secretary | Mike | Darin | 2/15/2022 |
| 6 | Stan | Shingles | 2/15/2024 |
| 7 | Jessica | Lapp | 2/15/2023 |
| 8 | Tera | Albrecht | 2/15/2024 |
| 9 | Doug | LaBelle II | 2/15/2022 |
| Zoning Board of Appeals Members (5 Members, 2 Alternates) 3 year term | | | |
| # | F Name | L Name | Expiration Date |
| 1- PC Rep | Ryan | Buckley | 2/15/2022 |
| 2 - Chair | Andy | Theisen | 12/31/2022 |
| 3 - Vice Chair | Liz | Presnell | 12/31/2022 |
| 4 - Secretary | vacant seat | | 12/31/2021 |
| 5 - Vice Secretary | Judy | Lannen | 12/31/2022 |
| Alt. #1 | Brandon | LaBelle | 12/31/2022 |
| Alt. #2 | Jim | Engler | 2/15/2021 |
| Board of Review (3 Members) 2 year term | | | |
| # | F Name | L Name | Expiration Date |
| 1 | Doug | LaBelle II | 12/31/2022 |
| 2 | Sarvjit | Chowdhary | 12/31/2022 |
| 3 | Bryan | Neyer | 12/31/2022 |
| Alt #1 | Randy | Golden | 12/31/2022 |
| Construction Board of Appeals (3 Members) 2 year term | | | |
| # | F Name | L Name | Expiration Date |
| 1 | Colin | Herron | 12/31/2021 |
| 2 | Richard | Jakubiec | 12/31/2021 |
| 3 | Andy | Theisen | 12/31/2021 |
| Hannah's Bark Park Advisory Board (2 Members from Township) 2 year term | | | |
| 1 | Mark | Stuhldreher | 12/31/2022 |
| 2 | John | Dinse | 12/31/2021 |
| Chippewa River District Library Board 4 year term | | | |
| 1 | Ruth | Helwig | 12/31/2023 |
| 2 | Lynn | Laskowsky | 12/31/2021 |



Board Expiration Dates

| EDA Board Members (11 Members) 4 year term | | | |
|--|-------------|-------------|-----------------|
| # | F Name | L Name | Expiration Date |
| 1-BOT Representative | Bryan | Mielke | 11/2024 |
| 2 | Thomas | Kequom | 4/14/2023 |
| 3 | James | Zalud | 4/14/2023 |
| 4 | Richard | Barz | 2/13/2025 |
| 5 | Robert | Bacon | 1/13/2023 |
| 6 | Marty | Figg | 6/22/2022 |
| 7 | Sarvjit | Chowdhary | 1/20/2022 |
| 8 | Cheryl | Hunter | 6/22/2023 |
| 9 | Jeff | Sweet | 2/13/2025 |
| 10 | vacant seat | | 2/13/2021 |
| 11 | David | Coyne | 3/26/2022 |
| Mid Michigan Area Cable Consortium (2 Members) | | | |
| # | F Name | L Name | Expiration Date |
| 1 | Kim | Smith | 12/31/2022 |
| 2 | vacant seat | | |
| Cultural and Recreational Commission (1 seat from Township) 3 year term | | | |
| # | F Name | L Name | Expiration Date |
| 1 | Robert | Sommerville | 12/31/2022 |
| Sidewalks and Pathways Prioritization Committee (2 year term -PC Appointments) | | | |
| # | F Name | L Name | Expiration Date |
| 1 - BOT Representative | Kimberly | Rice | 11/20/2024 |
| 2 - PC Representative | Mike | Darin | 8/15/2022 |
| 3 - Township Resident | Matt | Mertz | 8/15/2021 |
| 4 - Township Resident | Jeremy | MacDonald | 10/17/2022 |
| 5 - Member at large | vacant seat | | 8/15/2021 |
| Mid Michigan Aquatic Recreational Authority (2 seat from Township) 3 year term | | | |
| # | F Name | L Name | Expiration Date |
| 1 - City of Mt. Pleasant | John | Zang | 12/31/2023 |
| 2 - City of Mt. Pleasant | Judith | Wagley | 12/31/2022 |
| 1 -Union Township | Stan | Shingles | 12/31/2023 |
| 2 - Union Township | Allison | Chiodini | 12/31/2022 |
| At Large | | | |
| At Large | | | |

CHARTER TOWNSHIP OF UNION
Zoning Board of Appeals
Regular – Electronic Meeting

A regular-electronic meeting of the Charter Township of Zoning Board of Appeals was held on November 4, 2020 at 7:00 p.m. at Union Township Hall.

Meeting was called to order at 7:00 p.m.

Roll Call

Present:

Buckley (location: Union Township, Isabella County, Mt. Pleasant, MI)

Theisen (location: Union Township, Isabella County, Mt. Pleasant, MI)

Lannen (location: Union Township, Isabella County, Mt. Pleasant, MI)

LaBelle (location Union Township, Isabella County, Mt. Pleasant, MI)

Absent: Engler, Presnell, and Sheahan-Stahl

LaBelle called to the table in the absence of Presnell and Sheahan-Stahl

Others Present

Community and Economic Director, Rodney Nanney; Township Planner, Peter Gallinat; & Administrative Assistant, Jennifer Loveberry

Approval of Minutes

Lannen moved **LaBelle** supported the approval of the March 4, 2020 minutes as presented.

Vote: Ayes: 4 Nays 0. Motion carried.

Approval of Agenda

Buckley moved **Lannen** supported to approve the agenda as amended, Add Annual Report to Planning Commission. **Vote: Ayes: 4 Nays 0. Motion carried.**

Public Comment: Restricted to (3) minutes regarding issues not on this Agenda

Open – 7:07 p.m.

No comments were offered.

Closed – 7:08 p.m.

Training Work Session – New Zoning Ordinance (Community and Economic Development Director)

Work Session Training held to discuss the New Zoning Ordinance and updated “Variances and Appeals” section 14.4.

Public Comment: Restricted to (3) minutes regarding any issue

Open – 7:56 p.m.

No comments were offered.

Closed – 7:56 p.m.

Adjournment

Chair Theisen adjourned the meeting at 7:56 p.m.

APPROVED BY:

Taylor Sheahan-Stahl –Secretary
Judy Lannen – Vice Secretary

(Recorded by Jennifer Loveberry)

DRAFT

VARIANCE REPORT

| | | | |
|-------------------------------------|--|-------------------------|--|
| TO: | Planning Commission | DATE: | February 19, 2021 |
| FROM: | Rodney C. Nanney, AICP Community and Economic Development Director | ZONING: | B-7 Retail and Service Highway Business |
| PROJECT: | PVAR 20-02 Application for a variance of nine (9) feet from the minimum ten (10) foot setback from roads right-of-way required by Section 11.11.C. of the Zoning Ordinance for a freestanding sign in a business district at 5316 E. Pickard Road. | | |
| PARCEL(S): | PID 14-071-00-011-00 | | |
| OWNER(S): | SOS Holding Company, LLC | | |
| LOCATION: | Approximately 0.5 acres on the southwest corner of E. Pickard Rd. (M-20) and Second St. in the NW 1/4 of Section 13. | | |
| EXISTING USE: | Office/service | ADJACENT ZONING: | B-7, R-2B (One & Two-Family District) |
| FUTURE LAND USE DESIGNATION: | <i>Community Commercial Retail/Service</i> - This designation is intended for the widest variety of retail and service businesses, from apparel shops, auto service, and restaurants through small commercial strip centers and office buildings, but not for heavy commercial/light industrial uses like landscaping or contractor yards, heavy auto repair, or similar uses that may require some form of outside storage. | | |
| ACTION REQUESTED: | To hold a public hearing, review, and take action on the sign variance request per Section 14.4.B.4. (Variances). | | |

Review Comments

Section 14.4.B.4. of the Zoning Ordinance establishes the standards for consideration of variance requests by the Zoning Board of Appeals. Upon finding that “*practical difficulties*” exist based on the factors noted below, the Board of Appeals may choose to authorize a variance from the dimensional (i.e., height, bulk, setback) requirements of the Zoning Ordinance by varying or modifying the provision in a limited manner so that the spirit of this Ordinance is observed, public safety secured, and substantial justice done.

The Board of Appeals may grant a requested variance only upon a finding that “practical difficulties” exist and that the need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district.

In determining whether practical difficulties exist, the Board of Appeals is required to consider each of the four (4) variance factors from Section 14.4.B.4., which are listed in the following table in bold printed text. Staff review comments follow under each factor:

Section 14.4.B.4.a. (Variances)

Strict compliance with restrictions governing area, setback, frontage, height, bulk, density or other non-use matters, will unreasonably prevent the owner from using the property for a permitted purpose or will render ordinance conformity unnecessarily burdensome.

i. On April 3, 2019, the Zoning Board of Appeals took the following action in response to a request for a variance to allow off-street parking to be located closer to the E. Pickard Rd. right-of-way than would otherwise be required by the Zoning Ordinance:

Sheahan-Stahl moved Hunter supported to approve VAR 2019-03 for 10 feet for parking lot setback requirement, based on the criteria from section 5.8.C.1.a of the Board of Appeals powers and duties section, that special conditions and circumstances exist that are peculiar to the land, structure, or building involved and that are not applicable to other lands, structures, or buildings in the same Zoning District.

The building and associated parking facilities were subsequently developed in accordance with the applicable Zoning Ordinance requirements and this approved variance, which directly contributed to creating a conflict with the requirement in the Township’s sign regulations that requires a minimum ten (10) foot setback from the right-of-way line for new freestanding signs.

Based upon a review of the developed site, it is the opinion of staff that there is no practical location on the site where the freestanding sign could be located in full compliance with applicable sign regulations. Denial of the requested variance would have the effect of preventing the property owner from displaying a permanent freestanding sign in a manner similar to others in the district.

The variance will do substantial justice to the applicant, as well as to other property owners.

ii. Variance approval is necessary for the applicant to be able to display a permanent freestanding sign along the E. Pickard Rd. frontage of the developed site. The proposed sign configuration and location will offer reasonable visibility from E. Pickard Rd. without impairing visibility of existing signage on adjacent parcels.

Approval of the requested variance to allow construction of the sign at the proposed location will not create an unsafe condition or conflict with existing utilities. There is sufficient separation distance between the front edge of the sign base and the public sidewalk to minimize potential conflict with pedestrians or bicyclists on the sidewalk.

A lesser variance than requested will not give substantial relief to the applicant and/or be consistent with justice to other property owners.

iii. A lesser variance would not provide any substantive benefit to motorists, pedestrians or other property owners, but would require the proposed freestanding sign to be located partially within the parking lot for the building. This arrangement would eliminate one of the minimum required parking spaces for the development.

The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's predecessors.

iv. The action by the Zoning Board of Appeals on 4/3/2019 to approve a parking-related setback variance directly contributed to creating the conflict with the Township’s sign regulations that resulted in denial of the applicant’s sign permit application and their subsequent request for a freestanding sign setback variance.

Objective

Following the hearing, the Zoning Board of Appeals shall review the application materials, together with any reports and recommendations, and any public comments. The Board of Appeals shall identify and evaluate all relevant factors and shall then take action by motion to approve, deny or approve with conditions the variance application, or to postpone further consideration of the application to a date certain with any request for additional information or answers to questions needed for an informed decision.

Key Findings

1. The Board of Appeals determined as part of the 4/3/2019 parking setback variance approval that *“special conditions and circumstances exist (on this lot) that are peculiar to the land, structure, or building involved and that are not applicable to other lands, structures, or buildings in the same Zoning District.”*
2. Approval of the requested variance to allow construction of the sign at the proposed location will not create an unsafe condition or conflict with existing utilities.
3. A lesser variance would eliminate one of the minimum required parking spaces for the development.
4. The previous variance approval action by the Zoning Board of Appeals directly contributed to creating the conflict with the Township’s sign regulations that resulted in denial of the applicant’s freestanding sign permit application and their subsequent request for a sign setback variance.

Recommendations

The application is ready for Zoning Board of Appeals review and action. Any action on this variance application should be in the form of a motion to approve or deny the requested variance. As part of its review and deliberation, the Board of Appeals should identify specific findings of fact regarding the application’s consistency with the applicable criteria for variance approval as noted in our report, which should be incorporated into the motion.

Per Section 14.4.B.5. (Conditions), the Board of Appeals may impose conditions or limitations upon any affirmative decision, as it may deem reasonable and necessary in accordance with the purposes of this Ordinance and the Michigan Zoning Enabling Act, and the specific limiting factors noted in this Section.

Please contact me at (989) 772-4600 ext. 232, or via email at rnanney@uniontownshipmi.com, with any questions about this information.

Respectfully submitted,

Rodney C. Nanney, AICP

Community and Economic Development Director

Charter Township of Union

APPLICATION FOR ZONING BOARD OF APPEALS REVIEW

Variance Administrative Appeal Interpretation Sign Variance Other: _____

A complete application will contain all the information required per the Zoning Ordinance, Section 14.4 (Variances and Appeals)

Name of Proposed Development/Project: Sports Orthopedic Specialist
 Common Description of Property & Address (if issued): _____

Applicant's Name(s): Barb Yacisen (Sports Orthopedic Specialist)

Phone/Fax numbers: _____ Email: barbarayacisen@yahoo.com

Address: 5316 East Pickard City: MI Zip: 48858

Legal Description: _____ Attached _____ Included on Plan/Survey _____ Tax Parcel ID Number(s): _____

Existing Zoning: _____ Land Acreage: _____ Existing Use(s): _____

ATTACHED: Letter summarizing the request and responding to the applicable review criteria found in Section 14.5.B.

| | |
|--|--|
| Firm(s) or Individuals(s) who prepared the plan or survey drawing. | 1. Name: <u>Chris Christensen</u> Phone: <u>489-1551</u> Email: _____ |
| | 2. Address: <u>2125 Independence Ste B</u> |
| | City: _____ State: <u>MI</u> Zip: _____ Contact Person: <u>Mid Michigan Sign</u> Phone: <u>779-7170</u> |

| | |
|--|---|
| Legal Owner(s) of Property. All persons having legal interest in the property must sign this application. Attach a separate sheet if more space is needed. | 1. Name: _____ Phone: _____ |
| | Address: _____ |
| | City: _____ State: <u>MI</u> Zip: _____ |
| | Signature: _____ Interest in Property: <u>owner/lessee/other</u> |
| | 2. Name: _____ Phone: _____ |
| | Address: _____ City: _____ State: <u>MI</u> Zip: _____ Signature: _____ Interest in Property: <u>owner/lessee/other</u> |

I do hereby affirm that all the statements, signatures, descriptions, exhibits submitted on or with this application are true and accurate to the best of my knowledge and that I am authorized to file this application and act on behalf of all the owners of the property. False or inaccurate information may be cause for rejection of the application or revocation of any action by the Board of Appeals. Approval of a variance shall not constitute the right to violate any other provisions of the Zoning Ordinance or other applicable codes and ordinances.

Signature of Applicant: [Signature] Date: 12/9/20

Application Received By: Barbara Yacisen Office Use Only Fee Paid: \$ 350.00
 Date Received: _____ Escrow Deposit Paid: \$ _____

1/25/2021

To Whom It May Concern:

WE are requesting a variance for the sign for the property at 5316 E. Pickard Rd, Mt Pleasant, MI 48653. The variance being requested is to locate our sign closer to Pickard Rd for the following reasons:

1. We had to request a variance for additional parking at this address as we are required to have a certain number of parking spots based on the number of businesses and providers at this location.
2. Because of this variance, the sign, according to the ordinance, would be need to be placed in a parking spot on the property. If we lost a parking spot, we would not be in compliance with the required number of parking spots per provider and office spaces.

If you have any questions please call 989-350-6112

Thank you

Barbara Yacisen

UNION TOWNSHIP SIGN PERMIT

Permit #: Official Use
PSG N20-15
 Zoning B-7
 Parcel ID:
14-071-00-011-00

2. Applicant Chris Christensen
 3. Address 5316 East Pickard
 4. City State Mount Pleasant, MI 48858
 Zip

5. Owner / Job Name Barb Jacobson
 6. Sign Address 5316 E. Pickard
 7. Greatest dimension of Building (height, width, or length) 75 width

1. Application Date:
11/02/20

FREE STANDING SIGN (Only one per parcel)

If there are no existing freestanding, elevated or ground signs complete items 5-10. If you are completely REPLACING the existing sign begin at #1

Replacement?

1. Existing SqFt _____ 2. Existing Height: _____ 3. Existing Front Setback: _____
 4. Existing Side Setback: _____
 5. Gound, Elevated or Billboard ? Ground Above Freeway 6. Height 8' 7. SqFt 56
 8. Front Setback 75 9. Side Setback _____ Side Direction _____ 10. Message Center 11. Lighted

Note: Side setback is from property line closest to sign. Front setback is from the centerline of road.

WALL SIGNS

1. Existing Wall #1 SF _____ 2. New wall #1 SqFt 54 3. Replacement?
 4. Existing Wall #2 SF _____ 5. New Wall #2 SqFt _____ 6. Replacement?
 7. Side Entrance SF: _____ (Permitted only when 2nd entrance is at side or rear, for public use, and is served by a parking lot. Square footage included in maximum aggregate.)

Other Types - Awning, Marque, Suspended, Subdivision ID, Temporary (A-frame, Banner, Trailer, Wind)

Other type #1 _____ Other Type #2 _____ Other Type # _____
 Other 1 SqFt _____ Other 2 SqFt _____ Other 3 SqFt _____
 For temporary signs only Expires On _____

Variance Req? ZBA Date MARCH, 3 2021 Variance Result: _____

Comment Wall sign Approved. Location of Free Standing sign needs variance. Free Standing sign Denied until variance Approved

Total Cost of Sign(s) 500 Applicant Signature [Signature] Date 11/2/20

Sign Permit Fee \$50.00

I certify all information provided is correct. False or inaccurate information shall void this permit and may result in removal of any work done under this permit. Return to: 2010 S. Lincoln Rd, Mt. Pleasant, MI 48858 or FAX to (517) 773 1988

Approval Date: _____ Approval Signature _____

96"

SOS

SPORTS/ORTHOPEDIC URGENT CARE

84"

96"

**DOCTORS OF
PHYSICAL
THERAPY**

Foot and Ankle Specialist
Saginaw Bay Podiatry
Randy Semma, DPM & Stacey Stefanksy, DPM



12"

5316

MID MICHIGAN SIGN

midmichigansign@yahoo.com

Ph. 989.779.7170



MID MICHIGAN SIGN

midmichigansign@yahoo.com

Ph. 989.779.7170

**CHARTER TOWNSHIP OF UNION
PUBLIC HEARING NOTICE – VARIANCE REQUEST**

NOTICE is hereby given that a public hearing will be held as an electronic meeting by the Zoning Board of Appeals on Wednesday, March 3, 2021 at 7:00 p.m. for the purpose of receiving public comments on a request from SOS Holding Company, LLC for a variance of nine (9) feet from the minimum ten (10) foot setback from roads right-of-way required by Section 11.11.C. of the Zoning Ordinance for a freestanding sign in a business district to be located at 5316 E. Pickard Road (PID 14-071-00-011-00).

Legal Description: T14N R4W SEC 13 GARDEN GROVE LOTS 1 AND 2 BLK 3

The hearing will be conducted as an electronic meeting consistent with emergency declarations and direction from state and county health officials to slow the spread of the COVID-19 virus and the Open Meetings Act (Public Act 267 of 1976, as amended). All interested persons may attend and participate. There will be no in-person public attendance at the Township Hall (2010 S. Lincoln Rd., Mt. Pleasant, MI 48858), although some Township staff may choose to participate from this location.

To participate via computer or smart phone, please use the following link to the electronic meeting location:

<https://us02web.zoom.us/j/89299549537?pwd=L3JyMUV6YkpFeXY1TVdmMDlkWDIxUT09>

To participate via telephone dial-in access (audio only), please call (312) 626-6799. At the “Meeting ID” prompt, enter 892 9954 9537 and the # sign. At the “Passcode” prompt, enter 673358 and the # sign, and then enter # again to join the meeting.

The application may be inspected during business hours at the Township Hall. The Zoning Ordinance and Map are available for viewing on the Township’s website at:

[http://www.uniontownshipmi.com/Departments/ZoningandPlanningServices.aspx/.](http://www.uniontownshipmi.com/Departments/ZoningandPlanningServices.aspx/)

Any interested person may submit their views in person, in writing, or by signed proxy prior to the public hearing or at the public hearing. Written comments may be sent to the Charter Township of Union Zoning Board of Appeals, 2010 South Lincoln Road, Mt. Pleasant, MI 48858, sent via email to info@uniontownshipmi.com, or dropped off in the drop box next to the Township Hall entrance.

For additional information, and for individuals who require special accommodations per the Americans with Disabilities Act, please contact Peter Gallinat, Zoning Administrator, by phone at (989) 772 4600 extension 241.



The parcel outlined in **GREEN** is the subject parcel. The **YELLOW** border around the subject parcel represents a 300-foot buffer. Property owners within the 300-foot border are sent notification of the public hearing for the proposed variance request.

CHENEGA COMMERCIAL HOLDINGS LLC
~~662 WOODWARD AVE~~ 12150 Tech Rd.
DETROIT, MI 48226

Silver Spring, MD 20904

MPIS INC
1010 BEACON BLVD
GRAND HAVEN, MI 49417

RYAN'S INVESTMENTS LLC
PO BOX 753
MOUNT PLEASANT, MI 48804-0753

PUNG CODY
2067 SECOND ST
MT PLEASANT, MI 48858

HENDERSHOT KATHLEEN REV TRUST
2057 SECOND ST
MT PLEASANT, MI 48858

RA EST LLC & RP EAST LLC
1028 S MISSION ST
MOUNT PLEASANT, MI 48858

SOS HOLDING COMPANY LLC
PO BOX 845
ALMA, MI 48801

MOUNT PLEASANT HOTELS LLC
2369 FRANKLIN RD
BLOOMFIELD HILLS, MI 48302

FELTMAN CHRISTOPHER M & ROXANA K
5360 E PALMER ST
MT PLEASANT, MI 48858

SCHAFFER JOSEPH P
4830 NATIONAL DR
MT PLEASANT, MI 48858

MOUNT PLEASANT HOTELS LLC
~~2369 FRANKLIN RD~~ 1040 W. Hamlin Rd.
BLOOMFIELD HILLS, MI 48302
Rochester, MI 48309

DDA (Reference only)
3530 W. River Rd.
SANFORD, MI 48657

WHITE MICHAEL & THERESA
5296 PALMER ST
MOUNT PLEASANT, MI 48858

OLSAFSKY REAL ESTATE INVESTMEN
5275 E PICKARD
MOUNT PLEASANT, MI 48858

DALE KEITH & MARCIA
~~5223 N JOHNSON RD~~ 5024 SANDY Run
~~WEIDMAN, MI 48893~~
SEARS, MI 49679

DALE KEITH & MARCIA
2233 N JOHNSON RD
WEIDMAN, MI 48893

GILL DOUG & MARLENE
5293 E PICKARD RD
MT PLEASANT, MI 48858

B & M MT PLEASANT PROPERTY LLC
~~8005 E PICKARD RD~~ 2261 E. Hotchkiss Rd.
MT PLEASANT, MI 48858
Bay City, MI 48706

GBC HOLDINGS LLC
1970 AIRWAY DR
MOUNT PLEASANT, MI 48858

LEE DAVID A & LISA M
5260 E PICKARD
MOUNT PLEASANT, MI 48858



MediaNews Group

MICHIGAN GROUP

Account: **531226**
 Name: **Sherrie Teall**
 Company: **UNION TOWNSHIP**

Address: **2010 S Lincoln**
Mount Pleasant, MI 48858

Telephone: **(989) 772-4600**
 Fax: **(000) 000-0000**
 Description: **CHARTER TOWNSHIP OF UNION PUBLIC HEA**

Date: **02/11/21**
 Start Date: **02/14/21** Stop Date: **02/14/21**
 Class: **1201 - Legal Notices**
 Ad ID: **2129264**
 Ad Taker: **CRLHAMLIN**
 Sales Person: **Linda Hamlin (200308)**
 Words: **373**
 Lines: **55**
 Agate Lines: **114**
 Depth: **6.3**
 Inserts: **2**
 Blind Box:
 PO Number:

Ad sample

**CHARTER TOWNSHIP OF UNION
 PUBLIC HEARING NOTICE - VARIANCE REQUEST**

NOTICE is hereby given that a public hearing will be held as an electronic meeting by the Zoning Board of Appeals on Wednesday, March 3, 2021 at 7:00 p.m. for the purpose of receiving public comments on a request from SOS Holding Company, LLC for a variance of nine (9) feet from the minimum ten (10) foot setback from roads right-of-way required by Section 11.11.C. of the Zoning Ordinance for a freestanding sign in a business district to be located at 5316 E. Pickard Road (PID 14-071-00-011-00).

Legal Description: T14N R4W SEC 13 GARDEN GROVE LOTS 1 AND 2 BLK 3

The hearing will be conducted as an electronic meeting consistent with emergency declarations and direction from state and county health officials to slow the spread of the COVID-19 virus and the Open Meetings Act (Public Act 267 of 1976, as amended). All interested persons may attend and participate. There will be no in-person public attendance at the Township Hall (2010 S. Lincoln Rd., Mt. Pleasant, MI 48858), although some Township staff may choose to participate from this location.

To participate via computer or smart phone, please use the following link to the electronic meeting location: <https://us02web.zoom.us/j/89299549537?pwd=L3JyMUV6YkpFeXY1TVdmMDIkdWdixUT09>

To participate via telephone dial-in access (audio only), please call (312) 626-6799. At the "Meeting ID" prompt, enter 892 9954 9537 and the # sign. At the "Passcode" prompt, enter 673358 and the # sign, and then enter # again to join the meeting.

The application may be inspected during business hours at the Township Hall. The Zoning Ordinance and Map are available for viewing on the Township's website at: <http://www.uniontownshipmi.com/Departments/ZoningandPlanningServices.aspx/>.

Any Interested person may submit their views in person, in writing, or by signed proxy prior to the public hearing or at the public hearing. Written comments may be sent to the Charter Township of Union Zoning Board of Appeals, 2010 South Lincoln Road, Mt. Pleasant, MI 48858, sent via email to info@uniontownshipmi.com, or dropped off in the drop box next to the Township Hall entrance.

For additional information, and for individuals who require special accommodations per the Americans with Disabilities Act, please contact Peter Gallinat, Zoning Administrator, by phone at (989) 772 4600 extension 241.

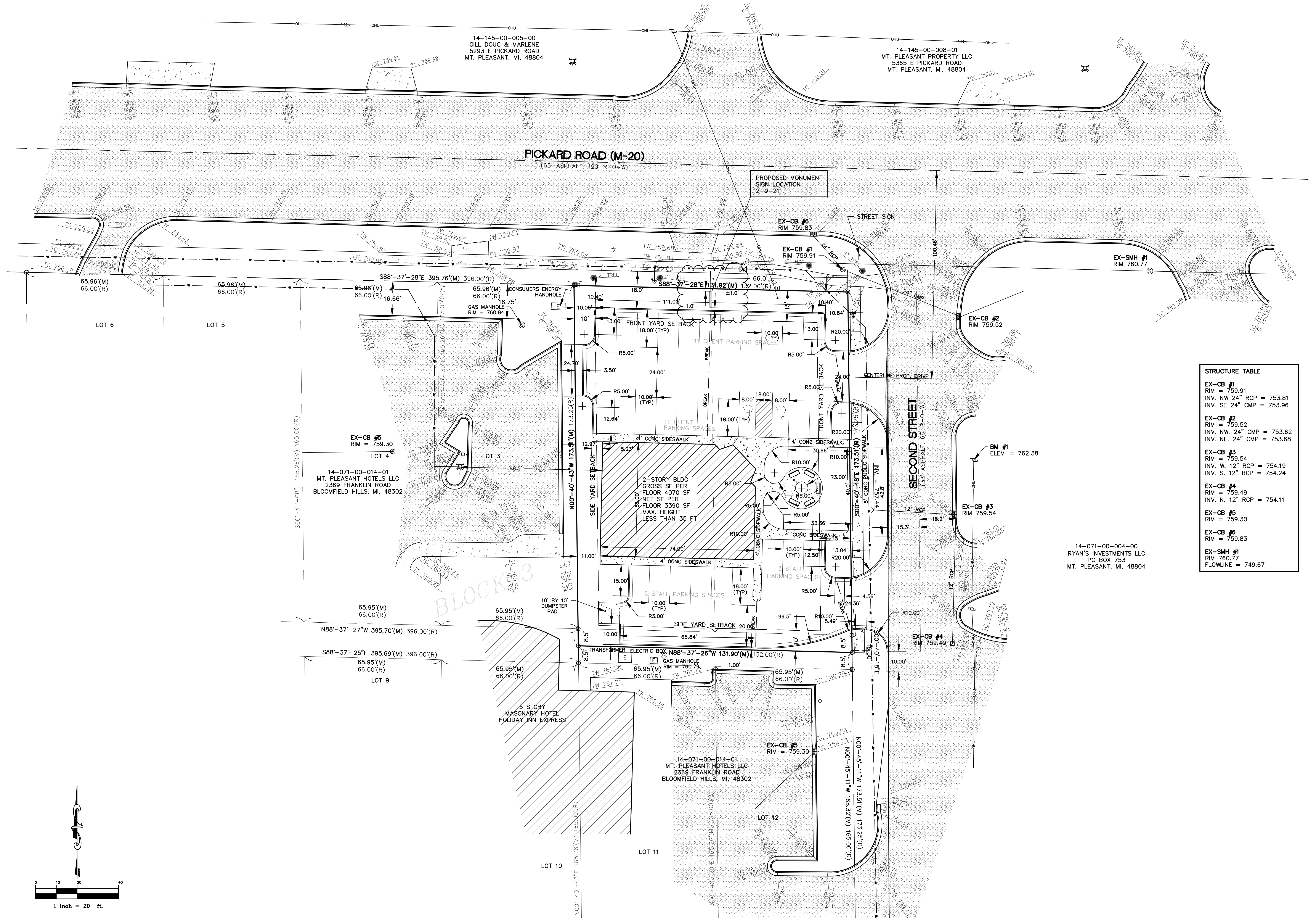
Total: **\$258.21**
 Paid Amount: **\$0.00**
 Amount Due: **\$258.21**

Publication

Morning Sun, morningstarpublishing.com

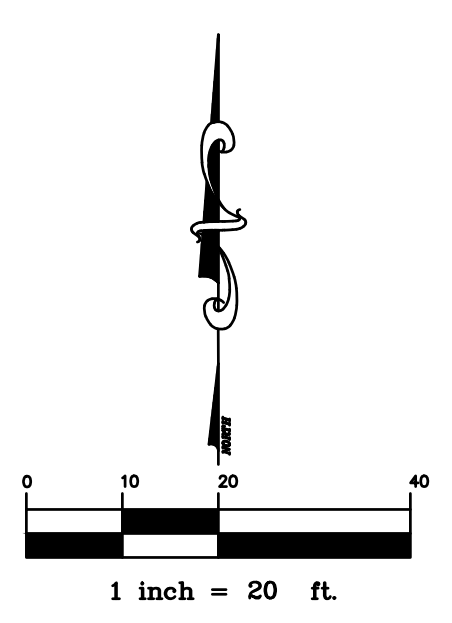
*We Appreciate Your Business!
 Thank You Sherrie Teall!*

CONTACT US: Macomb Daily: (866) 288-2989 Daily Tribune: (866) 288-2989 Oakland Press: (877) 271-1272
 Heritage: (877) 332-1898 Morning Star: (877) 483-3450 Voice: (877) 463-9893



| STRUCTURE TABLE | |
|-----------------|--------------|
| EX-CB #1 | RIM = 759.91 |
| EX-CB #2 | RIM = 759.52 |
| EX-CB #3 | RIM = 759.54 |
| EX-CB #4 | RIM = 759.49 |
| EX-CB #5 | RIM = 759.30 |
| EX-CB #6 | RIM = 759.83 |
| EX-SMH #1 | RIM = 760.77 |
| EX-SMH #2 | RIM = 760.77 |
| EX-SMH #3 | RIM = 760.77 |
| EX-SMH #4 | RIM = 760.77 |
| EX-SMH #5 | RIM = 760.77 |
| EX-SMH #6 | RIM = 760.77 |
| EX-SMH #7 | RIM = 760.77 |
| EX-SMH #8 | RIM = 760.77 |
| EX-SMH #9 | RIM = 760.77 |
| EX-SMH #10 | RIM = 760.77 |
| EX-SMH #11 | RIM = 760.77 |
| EX-SMH #12 | RIM = 760.77 |
| EX-SMH #13 | RIM = 760.77 |
| EX-SMH #14 | RIM = 760.77 |
| EX-SMH #15 | RIM = 760.77 |
| EX-SMH #16 | RIM = 760.77 |
| EX-SMH #17 | RIM = 760.77 |
| EX-SMH #18 | RIM = 760.77 |
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| EX-SMH #20 | RIM = 760.77 |
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| EX-SMH #26 | RIM = 760.77 |
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| EX-SMH #28 | RIM = 760.77 |
| EX-SMH #29 | RIM = 760.77 |
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| EX-SMH #51 | RIM = 760.77 |
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| EX-SMH #90 | RIM = 760.77 |
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| EX-SMH #93 | RIM = 760.77 |
| EX-SMH #94 | RIM = 760.77 |
| EX-SMH #95 | RIM = 760.77 |
| EX-SMH #96 | RIM = 760.77 |
| EX-SMH #97 | RIM = 760.77 |
| EX-SMH #98 | RIM = 760.77 |
| EX-SMH #99 | RIM = 760.77 |
| EX-SMH #100 | RIM = 760.77 |

14-071-00-004-00
 RYAN'S INVESTMENTS LLC
 PO BOX 753
 MT. PLEASANT, MI, 48804



| | |
|--------------|---|
| SCALE | 1" = 20' |
| JOB NUMBER: | 1804-023 |
| DRAWN BY: | TELB |
| DESIGNED BY: | TELB |
| CHECKED BY: | TELB |
| SHEET NUMBER | 4 OF 9 |
| REVISIONS: | REVISED PER I.C.R.C. COMMENTS 3-13-19 |
| | SUBMITTAL TO TWP. PLANNING 3-4-19 |
| | SUBMITTAL TO TWP. PLANNING & I.C.R.C. 3-13-19 |
| | ISSUED FOR CONSTRUCTION 9-20-19 |

Draft Motions: Variance Application

MOTION TO DENY THE VARIANCE:

Motion by _____, supported by _____, to deny the PVAR 20-02 application from SOS Holding Company, LLC for a variance of nine (9) feet from the minimum ten (10) foot setback from roads right-of-way required by Section 11.11.C. of the Zoning Ordinance for a freestanding sign in a business district at 5316 E. Pickard Road (PID 14-071-00-011-00), after review of the variance criteria in Section 14.4.B.4. of the Zoning Ordinance and finding that:

- The need for the variance is not due to unique circumstances peculiar to the property.
- Strict compliance with the applicable freestanding sign regulations would not be unnecessarily burdensome or prevent the owner from using the property for a permitted purpose.
- The variance will provide substantial justice for the applicant, but not for other property owners for the following reasons: _____

- Approval of a lesser variance than requested will not give substantial relief to the applicant or be consistent with justice to other property owners for the following reasons: _____

- The problem and resulting need for the variance was self-created by the applicant.

MOTION TO POSTPONE ACTION:

Motion by _____, supported by _____, to postpone action on the PVAR 20-02 application from SOS Holding Company, LLC for a variance at 5316 E. Pickard Road (PID 14-071-00-011-00) to the _____, 2021 regular meeting, with a request that:

- The applicant provide the following items of additional information necessary for a decision: _____

- The Township Attorney be asked to provide counsel and direction on the following legal questions: _____

- Township staff take action to _____

Draft Motions: Variance Application

MOTION TO APPROVE THE VARIANCE:

Motion by _____, supported by _____, to approve the PVAR 20-02 application from SOS Holding Company, LLC for a variance of nine (9) feet from the minimum ten (10) foot setback from roads right-of-way required by Section 11.11.C. of the Zoning Ordinance for a freestanding sign in a business district at 5316 E. Pickard Road (PID 14-071-00-011-00), after review of the variance criteria in Section 14.4.B.4. of the Zoning Ordinance and finding that:

1. The Board of Appeals determined as part of the 4/3/2019 parking setback variance approval that *“special conditions and circumstances exist (on this lot) that are peculiar to the land, structure, or building involved and that are not applicable to other lands, structures, or buildings in the same Zoning District.”*
2. Approval of the requested variance to allow construction of the sign at the proposed location will not create an unsafe condition or conflict with existing utilities.
3. A lesser variance would eliminate one of the minimum required parking spaces for the development.
4. The previous variance approval action by the Zoning Board of Appeals directly contributed to creating the conflict with the Township’s sign regulations that resulted in denial of the applicant’s freestanding sign permit application and their subsequent request for a sign setback variance.

Approval of this variance is subject to the following conditions, which are determined by the Board of Appeals to be necessary and consistent with the requirements of Section 14.4.B.5. of the Zoning Ordinance:
